

From: [Mason, Steve](#)
To: [Broyles, Ragan](#); [McQuiddy, David](#); [Webster, Susan](#); [Ruhl, Christopher](#)
Subject: HAZWOPER for volunteer firefighters
Date: Friday, April 26, 2013 1:02:35 PM
Attachments: [CFR-2011-title40-vol28-part311.pdf](#)

Here is the regulation promulgated by EPA which requires state and local employees (including volunteers) to be covered by the OSHA HAZWOPER standard...

The following is from an OSHA interpretation letter....

1. "Does OSHA or the EPA have the authority over state and local government employers who conduct hazardous waste operations and emergency response in states that do not have an OSHA approved plan?"

The United States Environmental Protection Agency (EPA) promulgated a standard identical to 29 CFR 1910.120 to protect employees who work in the public sector: 40 CFR 311. EPA's standard varies slightly from OSHA's standard by including volunteers who work for a governmental agency engaged in emergency response, such as fire fighters. The EPA standard also applies to employees of State and local governments in each state which does not have an OSHA approved state plan. EPA's purpose for adopting 1910.120 was to cover employees that OSHA could not otherwise cover.

For consistency OSHA interprets the HAZWOPER standard for the EPA.